CHAMBER OF **COMMERCE**
OF THE
UNITED **STATES** OF AMERICA

R. BRUCE JOSTEN
EXECUTIVE VICE PRESIDENT
GOVERNMENT AFFAIRS

December 13, 2002

1615 H STREET. N.W.
WASHINGTON. D.C. 20062-2000
202/463-5310

The Honorable Marlene H. Dortch
Secretary
Federal Communications Commission
Washington. DC 20554

> Re: In the Matter of Telephone Consumer Protection Act of 1991:
> CG Docket No. 02-278; CC Docket No. 92-90

Dear Ms. Dortch:

I am writing on behalf of the U S Chamber of Commerce, the world's largest business federation, representing more than three million businesses of every size, sector and region, to endorse the positions taken by the Direct Marketing Association (**DMA**) in the above-referenced docket and to request that the Chamber be associated as a joint filing party with the DMA in this proceeding.

As the Federal Communications Commission (FCC) is aware, the DMA and the U.S. Chamber of Commerce submitted joint comments for the Federal Trade Commission (FTC) in **a** parallel proceeding pending before that agency.

The statute conferring jurisdiction over outbound teleservices on the **FCC** differs from the statute under which the FTC has initiated its proceeding; and the issues before the FCC are necessarily different.

In view of these circumstances, we have reviewed the DMA's comments before the FCC with great care. We endorse completely the positions that it has taken. We particularly call to the FCC's attention the reasons why the DMA contends that:

- There is no need for a national Do Not Call list;

- If. nonetheless, the FCC determines to adopt such an approach, it must preempt statewide Do Not Call lists and must supersede any national Do Not **Call** program initiated by the FTC. as specified in the Telephone Consumer Protection Act.

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On behalf of the U.S. Chamber of Commerce, we respectfully **request** that we be associated as a joint filing party with the DMA on the comments it has submitted. The DMA has authorized us to stale that it endorses this request.

Sincerely,

R. Bruce Josten